

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

|                        |   |                |
|------------------------|---|----------------|
| KENNETH RASHON SMITH,  | ) |                |
|                        | ) |                |
| Plaintiff,             | ) |                |
|                        | ) |                |
| v.                     | ) | 2:05-CV-0096-T |
|                        | ) | WO             |
| ANTHONY CLARK, et al., | ) |                |
|                        | ) |                |
| Defendants.            | ) |                |

**JUDGMENT**

In accordance with the memorandum opinion entered this date, it is the ORDER,  
JUDGMENT, and DECREE of the court as follows:

- (1) The recommendation of the United States Magistrate Judge entered on  
May 3, 2005 (Doc. 12), is adopted.
- (2) This case be and is hereby DISMISSED without prejudice.

The Clerk of the Court is DIRECTED to enter this document on the civil docket  
as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

DONE, this the 23rd day of May, 2005.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE